

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

CIVIL ACTION NO. 1:19-cv-553-LCB-JLW

CARHARTT, INC.,

Plaintiff,

v.

**QUALITY SALES & LEASING, INC.
AND MARION D. MAY,**

Defendants.

Honorable Loretta C. Biggs

**STIPULATED MOTION FOR ORDER DISMISSING ACTION WITHOUT
PREJUDICE AND RETAINING JURISDICTION TO ENFORCE SETTLEMENT
AGREEMENT**

1. Whereas Plaintiff Carhartt, Inc. (hereafter, “Plaintiff”) filed a Complaint against Defendants Quality Sales & Leasing, Inc. and Marion D. May (hereafter, “Defendants”) on May 29, 2019 (Doc. 1).

2. Whereas Defendants were personally served with the Summons and Complaint on July 24, 2019 (Docs. 5 and 6).

3. Whereas Defendants’ original deadline to answer the Complaint was August 14, 2019 and, on request of Defendants, the deadline was extended four times to October 2, 2019 in order for the parties to, among other things, discuss settlement.

4. Whereas the parties have agreed to settle this case and have executed the Stipulation of Dismissal Without Prejudice attached as Exhibit A.

5. Whereas the parties both agree that this Court should retain jurisdiction over the matter and the parties in order to enforce the terms of the parties' settlement agreement.

Plaintiff respectfully moves, pursuant to Federal Rule of Civil Procedure 41, and the attached Stipulation of the parties, for an Order:

1. Dismissing this action without prejudice; and
2. Expressly retaining jurisdiction over the matter and the parties for the purpose of enforcing the terms of the parties' settlement agreement.

RESPECTFULLY SUBMITTED, this 1st day of October, 2019.

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By: /s/ Jacob S. Wharton

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